

HOUSE No. 4559

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 27, 2008.

The committee on Municipalities and Regional Government, to whom was referred the petition (accompanied by bill, House, No. 4495) of Eric Turkington (by vote of the town) relative to authorizing the town of Chilmalik to transfer a certain parcel of land for other parcels of land in said town owned by Howard B. Hillman, reports recommending that the accompanying bill (House, No. 4559) ought to pass [Local Approval Received].

For the committee,

VINCENT A. PEDONE.

The Commonwealth of Massachusetts

In the Year Two Thousand and Eight.

AN ACT RELATIVE TO CERTAIN PROPERTY IN THE TOWN OF CHILMARK.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The town of Chilmark, acting by and through its
2 board of selectmen, subject to the provisions of Section 2, 4 and 5
3 shall convey 2 parcels of land to Howard W. Hillman or his nom-
4 inee. The parcels to be conveyed are shown as A1 and A2 on a
5 plan of land entitled "Plan of Land in Chilmark, Massachusetts"
6 dated March 5, 2003 prepared by Scholfield, Barbini and Hoehn
7 and filed in the Dukes County registry of deeds as Chilmark case
8 file No. 352 together with an appurtenant right of passage to and
9 from Middle Road. The conveyance shall not include the narrow
10 strip of land compressing 0.15 acres along a portion of the east-
11 erly boundary. Such strip shall be conveyed to the Martha's Vine-
12 yard Land Bank Commission. Such conveyances shall include the
13 relinquishment by the town of any right or easement to use Sarah
14 Brown Land or the strip of land.

1 SECTION 2. In consideration of the conveyances authorized in
2 section 1, Howard Hillman shall convey 2 parcels of land to the
3 town of Chilmark and the Martha's Vineyard Land Bank Commis-
4 sion. The parcels are shown on Chilmark assess on Map 11 as
5 parcels 45 and 48. After preparation of a subdivision plan by the
6 town dividing up the parcels into 6 lots the northernmost and
7 southernmost lots shall be convey to the Martha's Vineyard Land
8 Bank Commissions and the 4 interior lots shall be conveyed to the
9 town of Chilmark for affordable housing purposes.

1 SECTION 3. The town of Chilmark, acting by and through its
2 board of selectmen shall grant a trial easement over the 4 interior
3 lots to the Martha's Vineyard Land Bank Commission.

1 SECTION 4. Howard W. Hillman shall grant a conservation
2 restriction over a portion of the land conveyed to him in section 1
3 to the Martha's Vineyard Land Bank Commission.

1 SECTION 5. Howard W. Hillman shall grant a conditional trial
2 easement along the easterly, boundary of Lot A1 to the Martha's
3 Vineyard Land Bank Commission the rights of which shall be
4 exercised under prescribed circumstances.

1 SECTION 6. Howard W. Hillman shall grant a trail easement
2 over a certain parcel of land to the Martha's Vineyard Land Bank
3 Commission. Said parcel is shown on Land Court Plan 20457A as
4 Lot 3.

1 SECTION 7. In consideration for the trail easement granted in
2 Section 6, the Martha's Vineyard Land Bank Commissions shall
3 terminate its easement on land north of Lot 3 shown on Land
4 Court Plan 20457A.